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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/018,166

04/05/2002

Sami Huusko

4925-157PUS

8491

7590

05/09/2006

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EXAMINER

LIU, JONATHAN

ART UNIT

PAPER NUMBER

2616

DATE MAILED: 05/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/018,166

Applicant(s)

HUUSKO, SAMI

Examiner

Jonathan Liou

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 April 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date. _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

This office action is in response to applicant's paper filed 2/21/2006. Claims 1-19 as amended are currently pending in the application. Claims 1-19 have been amended.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1, 2-3, and 6-19 are rejected under 35 U.S.C. 102(a) as being anticipated by Forslow (WO Pub. No. 99/16266.)

3. As per claims 1, 12, 15, and 19, Forslow disclosed a method and a system for managing connections in a packet data radio network (**Fig. 2, Forslow**), wherein comprises:

Means for monitoring at least data packets relating to a predetermined allocated transport layer service access point and transmitted in the packet data radio system or by the network element (**Forslow teaches monitoring the packet/circuit switching system. See line 1-3, page 28, lines 16-24, page 25, and lines 11-24, page 7, Forslow.**) , and detect packets comprising connection state change-messages related to a predetermined allocated transport layer service access point (Forslow teaches which control flow as connection state change and built a total transport layer by encapsulating into UDP or TCP. Pg. 20. And the system of Forslow would use

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TCP/UDP to control communication connection and access point port. See pg. 6. As defined in the application specification, transport layer service access point may be for example a specific UDP or TCP port at the IP address corresponding to the mobile station. See pg. 5 of specification.)

Means for detecting a call setup message in a monitor data packet (**See lines 23-24, Page 4, and lines 11-24, page 34, Forslow.**)

Means for determining at least one connection parameter based on information in a detected call setup message (**See lines 15-21, page 27, lines 19-5, pages 35-36, Forslow.**)

4. As per claims 2-3, Forslow teaches monitoring the send or received traffic (**See line 1-3, page 28**) and Forslow also teaches connection setup message and release message in the data traffic (**See 15-8, page 30-31, and 15-10, page 33-34, Forslow.**)

5. As per claim 5, Forslow teaches the initial protocol are generated (**See lines 14-2, pages 20-21, Forslow.**) The monitoring traffic are according to Quality of Service in protocol of the packet (**See lines 15-8, pages 27-28, Forslow.**)

6. As per claims 6, 9-11, and 16-18, Forslow teaches the packet data radio system (mobile station) could be GPRS system, performed by a serving GPRS support node and gateway GPRS support node (**Fig. 10, Forslow.**)

7. As per claims 7-8 and 13-14, Forslow teaches for initiating the setting up a packet data connection of the packet data radio system at least partly based on at least one connection parameter (**See lines 17-21, pages 18-19, Forslow.**) Forslow also

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teaches for modifying the packet data according to parameter (See lines 7-21, page 22, Forslow.)

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Forslow (WO Pub. No. 99/16266.)

10. As per claim 4, Forslow teach monitoring the traffic and message (See lines 1-3, page 28, Forslow.) Forslow does not specifically teach the connection state change are H.323 connection state change messages. However, Forslow teaches using different coding and messaging protocols, for video and audio application, e.g. H.263/H.261 or GSM 06.10. In addition, GPRS system provides packet data transmission according to H.323 call set in general and H.323 would meet the requirement for H.263 and H.261. Therefore, it would have been obvious for one who have ordinary skill in the art at the time the invention was made to use H.323 for IP transmission of data packet because GPRS system would use H.323 in general.

Response to Arguments

11. Applicant's arguments filed 2/21/2006 have been fully considered but they are not persuasive.

Applicant argues Forslow fails to teach transport service access point (TSAP) as claimed. However, Forslow teach TCP/UDP and IP connection with mobile station to control flow. page 6 and 18 Fig. 2, 10 In addition, as defined in applicant's specification, , transport layer service access point may be for example a specific UDP or TCP port at the IP address corresponding to the mobile station. See pg. 5 of specification. In view of forgoing response, Examiner believes the functions of TSAP has been implicitly taught by Forslow. Therefore, claims 1-19 stand rejected.

Conclusion

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan Liou whose telephone number is 571-272-8136. The examiner can normally be reached on 8:00AM - 5:00PM Mon-Fri.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Ngo can be reached on 571-272-3139. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jonathan Liou

4/27/2006



RICKY Q. NGO
SUPERVISORY PATENT EXAMINER